

**Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

Draft

**AIR QUALITY PERMIT
Issued under 401 KAR 52:030**

Permittee Name: Eastern Kentucky Correctional Complex

Mailing Address: P.O. Box 636
West Liberty, Kentucky 41472

Source Name: Eastern Kentucky Correctional Complex
Mailing Address: Same as above

Source Location: 200 Road to Justice
West Liberty, Kentucky 41472

Permit Number: F-06-019
Source A. I. #: 3203
Activity #: APE20040001
Review Type: Conditional Major
Source ID #: 21-175-00019

Regional Office: Ashland Regional Office
1550 Wolohan Drive, Suite 1
Ashland, KY 41102-8942

County: Morgan

**Application
Complete Date:** December 17, 2003
Issuance Date:
Revision Date:
Expiration Date:

**John S. Lyons, Director
Division for Air Quality**

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

- 01 (01)** **Boiler Number 1** – Kewanee Type “C” Boiler Model No. 7L289 with Detroit Uni-Stoker #372; Date Installed: January, 1992;
Rated Capacity (Fuel Input, mmBTU/hr): 12.76
- 02 (02)** **Boiler Number 2** – Kewanee Type “C” Boiler Model No. 7L289 with Detroit Uni-Stoker #372; Date Installed: January, 1992;
Rated Capacity (Fuel Input, mmBTU/hr): 12.76
- 03 (04)** **Boiler Number 4** – Kewanee Type “C” Boiler Model No. 7L289 with Detroit Uni-Stoker #372; Date Installed: January, 1992;
Rated Capacity (Fuel Input, mmBTU/hr): 12.76

APPLICABLE REGULATIONS:

401 KAR 59:015, New Indirect Heat Exchangers applicable to an emission unit with a capacity less than 250 MMBTU per hour and commenced on or after April 9, 1972.

401 KAR 60:005, incorporating by reference Regulation 40 CFR 60, Subpart Dc, Standards of performance for small industrial-commercial-institutional steam generating units, for units less than or equal to 100 MMBTU/hour but greater than or equal to 10 MMBTU/hour commenced after June 9, 1989.

1. Operating Limitations:

The affected facility shall be operated so as not to exceed the emission limitations in Section B.2.

2. Emission Limitations:

A. Pursuant to 59:015, § 4(1)(c): Particulate Matter emissions shall not exceed 0.375 lb/mmBTU based on a three-hour average.

Compliance Demonstration Method: The permittee may assure compliance with the particulate matter (PM) allowable by calculating emissions using the following formula:

Coal- SCC 1-03-002-08

PM Emissions (lb/mmBtu) from combustion of coal = [(lbs / ton controlled emission factor from most recent stack test) / (heating value from fuel analysis mmBTU/ton)].

B. Pursuant to 59:015, § 4(2): Visible emissions shall not exceed twenty (20) percent opacity based on a six-minute average except:

- (i) A maximum of forty (40) percent opacity shall be permissible for not more than six (6) consecutive minutes in any sixty (60) consecutive minutes during cleaning of the fire box or blowing soot.
- (ii) For emissions from an indirect heat exchanger during building a new fire for the period required to bring the boiler up to operating conditions provided the method used is that recommended by the manufacturer and the time does not exceed the manufacturer's recommendations.

Compliance Demonstration Method: See **3. Testing Requirements:**

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

2. Emission Limitations (Continued):

C. Pursuant to Subpart Dc, §60.42c(d): Sulfur dioxide emissions shall not exceed 1.2 lb/mm BTU

Compliance Demonstration Method: Subpart Dc, § 60.42c (h) (3) - Coal-fired facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 mm BTU/hr) may determine compliance with the emission limits or fuel oil sulfur limits based on a certification from the fuel supplier as described under Subpart Dc, § 60.48c (f)(3). Initial Compliance shall be demonstrated through performance testing, See **3. Testing Requirements**.

3. Testing Requirements:

A. Pursuant to 401 KAR 59:015, Section 8, particulate matter, sulfur dioxide and visible emission limitations shall be determined by the reference methods in Appendix A of 40 CFR 60. These methods shall be used to determine compliance with the standards prescribed in **2. Emission Limitations**.

B. The permittee shall conduct at least one performance test for particulate matter (PM), opacity, and sulfur dioxide (SO₂) emissions for one representative boiler within six months following the issuance of the final permit.

C. The permittee shall read weekly, the opacity of emissions of each unit when the units are operating and weather is permitting, using U.S. EPA Reference Method 9.

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of fuel combusted on a daily basis.

5. Specific Record Keeping Requirements:

A. Pursuant to 401 KAR 52:030, records including those documenting the results of each compliance test, shall be maintained.

B. Pursuant to 401 KAR 59:005, Section 3(2), the permittee shall maintain records of occurrence and duration of startup, shutdown or malfunction of the air pollution control equipment.

C. Pursuant to Subpart Dc, § 60.48c (f) Fuel supplier certification shall include the following information:

(3) For coal:

(i) The name of the coal supplier;

(ii) The location of the coal when the sample was collected for analysis to determine the properties of the coal, specifically including whether the coal was sampled as delivered to the affected facility or whether the sample was collected from coal in storage at the mine, at a coal preparation plant, at a coal supplier's facility, or at another location. The certification shall include the name of the coal mine (and coal seam), coal storage facility, or coal preparation plant (where the sample was collected);

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Record Keeping Requirements (Continued):

- (iii) The results of the analysis of the coal from which the shipment came (or the shipment itself) including the sulfur content, moisture content, ash content, and heat content; and
- (iv) The methods used to determine the properties of the coal.
- D. Pursuant to Subpart Dc, § 60.48c (g), the permittee shall record and maintain records of the amounts of fuel combusted daily for each affected facility.
- E. Pursuant to Subpart Dc, § 60.48c (i), all records required by § 60.48c shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

6. Specific Reporting Requirements:

Pursuant to Subpart Dc, § 60.48c (j) The reporting period for the reports required under Subpart Dc is each six-month period. All reports shall be submitted to the Division and shall be included in the semi-annual compliance report. The report shall include those records required by **Record Keeping Requirements C** through **E**. These records shall include a certified statement by the owner or operator of the affected facility that the records represent the fuel combusted during that semi-annual period. The semi-annual reports shall be submitted to the Kentucky Division for Air Quality Ashland Regional Office.

7. Specific Control Equipment Operating Conditions:

- A. The cyclones shall be operated as necessary to maintain compliance with permitted emission limitations in accordance with manufacturer's specifications and/or standard operating practices.
- B. Records regarding the maintenance of the cyclones shall be maintained.

8. Alternate Operating Scenarios: N/A

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- 04 (03) Boiler Number 3** – Kewanee Type “C” Boiler Model No. 7L285 with Detroit Uni-Stoker #160; Date Installed: January, 1992;
Rated Capacity (Fuel Input, mmBTU/hr): 6.39

APPLICABLE REGULATIONS:

401 KAR 59:015, New Indirect Heat Exchangers applicable to an emission unit with a capacity less than 250 MMBTU per hour and commenced on or after April 9, 1972.

1. Operating Limitations:

The affected facility shall be operated so as not to exceed the emission limitations in Section B.2.

2. Emission Limitations:

A. Pursuant to 59:015, § 4(1)(c): Particulate Matter emissions shall not exceed 0.375 lb/mmBTU based on a three-hour average.

Compliance Demonstration Method: The permittee may assure compliance with the particulate matter (PM) allowable by calculating emissions using the following formula:

Coal- SCC 1-03-002-08

PM Emissions (lb/mmBtu) from combustion of coal = [(lbs / ton controlled emission factor from most recent stack test) / (heating value from fuel analysis mmBTU/ton)].

B. Pursuant to 59:015, § 4(2): Visible emissions shall not exceed twenty (20) percent opacity based on a six-minute average except:

- (i) A maximum of forty (40) percent opacity shall be permissible for not more than six (6) consecutive minutes in any sixty (60) consecutive minutes during cleaning of the fire box or blowing soot.
- (ii) For emissions from an indirect heat exchanger during building a new fire for the period required to bring the boiler up to operating conditions provided the method used is that recommended by the manufacturer and the time does not exceed the manufacturer's recommendations.

Compliance Demonstration Method: See **3. Testing Requirements:**

C. Pursuant to 59:015, § 5(1)(c): Sulfur dioxide emissions shall not exceed 2.35 lb/mm BTU

Compliance Demonstration Method: The permittee may assure compliance with the sulfur dioxide (SO₂) allowable by calculating emissions using the following formula:

Coal- SCC 1-03-002-08

Sulfur dioxide emissions (lb/mm BTU) = [AP 42 5th Edition Emission Factor (lb/ton)]/[Heating value of the coal (mm BTU/ton)]

3. Testing Requirements:

A. Pursuant to 401 KAR 59:015, Section 8, particulate matter, sulfur dioxide and visible emission limitations shall be determined by the reference methods in Appendix A of 40 CFR 60. These methods shall be used to determine compliance with the standards prescribed in **2. Emission Limitations.**

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

3. Testing Requirements (Continued):

- B. The permittee shall conduct a performance test for particulate matter (PM), sulfur dioxide (SO₂) and opacity emissions on one representative boiler, which may be Boilers 1, 2 or 4 within six months following the issuance of the final permit.
- C. The permittee shall read weekly, the opacity of emissions for the unit when the unit is operating and weather is permitting, using U.S. EPA Reference Method 9.

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of fuel combusted on a daily basis.

5. Specific Record Keeping Requirements:

- A. Pursuant to 401 KAR 52:030, records including those documenting the results of each compliance test, shall be maintained.
- B. Pursuant to 401 KAR 59:005, Section 3(2), the permittee shall maintain records of occurrence and duration of startup, shutdown or malfunction of the air pollution control equipment.
- C. The permittee shall record and maintain records of the amounts of fuel combusted daily for each affected facility.

6. Specific Reporting Requirements:

All reports shall be submitted to the Division and shall be included in the semi-annual compliance report. The report shall include those records required by **Record Keeping Requirements C and D**. These records shall include a certified statement by the owner or operator of the affected facility that the records represent the fuel combusted during that semi-annual period. The semi-annual reports shall be submitted to the Kentucky Division for Air Quality Ashland Regional Office.

7. Specific Control Equipment Operating Conditions:

- A. The cyclones shall be operated as necessary to maintain compliance with permitted emission limitations in accordance with manufacturer's specifications and/or standard operating practices.
- B. Records regarding the maintenance of the cyclones shall be maintained.

8. Alternate Operating Scenarios: N/A

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

05 (05) Boiler Number 5 – Kewanee H3S-250-KG “Classic III” Packaged Firetube Boiler;
Date Installed: April, 1992;
Rated Capacity (Fuel Input, mmBTU/hr): 10.46

APPLICABLE REGULATIONS:

401 KAR 59:015, New Indirect Heat Exchangers applicable to an emission unit with a capacity less than 250 MMBTU per hour and commenced on or after April 9, 1972.

401 KAR 60:005, incorporating by reference 40 CFR 60, Subpart Dc, Standards of performance for small industrial-commercial-institutional steam generating units, for units less than or equal to 100 MMBTU/hour but greater than or equal to 10 MMBTU/hour commenced after June 9, 1989.

1. Operating Limitations:

The affected facility shall be operated so as not to exceed the emission limitations in Section B.2.

2. Emission Limitations:

A. 59:015, § 4(1)(c): Particulate emissions shall not exceed 0.375 lb/mmBTU

B. 59:015, § 4(2): Visible emissions shall not exceed 20% opacity

C. Subpart Dc, §60.42c(d): Sulfur dioxide emissions shall not exceed 0.50 lb/MMBTU

Compliance Demonstration Method: The unit is considered to be in compliance with the particulate, sulfur dioxide and opacity standards when burning pipeline quality natural gas.

3. Testing Requirements: None

4. Specific Monitoring Requirements:

The source wide volume of natural gas burned shall be monitored monthly.

5. Specific Recordkeeping Requirements:

Records of the source wide volume of natural gas burned shall be maintained.

6. Specific Reporting Requirements: None

7. Specific Control Equipment Operating Conditions: None

8. Alternate Operating Scenarios: None

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

06 (W1) Wood Furniture Plant Paint Strip Tank – Benco Strip Tank consisting of rinse tray with splash shield, clarifier and holding tank with secondary filter; Benco Rinse Tank; Date Installed: 1991

APPLICABLE REGULATIONS:

401 KAR 52:030, Applicable to sources that accept permit conditions that are legally and practically enforceable to limit their potential to emit (PTE) below major source thresholds that would make them subject to 401 KAR 52:020.

1. Operating Limitations:

The affected facility shall be operated so as not to exceed the emission limitations in Section B.2.

2. Emission Limitations:

- A. The twelve-month rolling total emissions of any single Hazardous Air Pollutant (HAP) shall not exceed 9.0 tons.
- B. The twelve-month rolling total emissions of combined HAPs shall not exceed 22.5 tons.

Compliance Demonstration Method:

$$E_{HAP} = G \cdot d \cdot (Wt_{HAP}/100)$$

$$E_{HAPS} = \sum E_{HAP}$$

Where

E_{HAP} = Monthly emission rate of individual HAP

G = Monthly usage in gallons of paint remover

d = Density of the paint remover in pounds per gallon

Wt_{HAP} = Weight percent of individual HAP in the paint remover

E_{HAPS} = Monthly emission rate of combined HAPs

3. Testing Requirements:

None except that testing shall be conducted at such times as may be required by the Cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.

4. Specific Monitoring Requirements:

The monthly usage of paint remover shall be monitored.

5. Specific Recordkeeping Requirements:

- A. Monthly records of paint remover usage shall be maintained, including purchase orders and invoices for paint remover.
- B. Monthly records of the emissions of individual HAP shall be maintained and records of the twelve-month rolling total HAP emissions shall be maintained. [Refer to Section D]
- C. Monthly records of the emissions of combined HAPs shall be maintained and records of the twelve-month rolling total HAP emissions shall be maintained. [Refer to Section D]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. Specific Reporting Requirements:

The permittee shall submit an emissions calculations worksheet, which utilizes product specific emission factors. These worksheets shall be submitted as a hardcopy with each semiannual report and shall serve as the method of determining compliance with the source wide limitations for single and combined HAP emissions. See Section F.6.

7. Specific Control Equipment Operating Conditions: N/A

8. Alternate Operating Scenarios: N/A

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

07 (W3,W4) Wood Furniture Plant Surface Coating – Water based stain application by brush and water based lacquer application by spray gun in a spray booth equipped with an exhaust fan and high efficiency exhaust filters; Date installed: 1991

APPLICABLE REGULATIONS:

401 KAR 63:002 incorporating by reference 40 CFR 63, Subpart JJ, National Emission Standards for Wood Furniture Manufacturing Operations.

1. Operating Limitations:

- A. The spray booth and associated equipment shall be operated and maintained in accordance with the manufacturer's recommendations.
- B. The monthly usage of stains, lacquers, adhesives or any other wood finishing material shall not exceed 100 gallons.

2. Emission Limitations:

- A. 401 KAR 59:010 § 3(1) – Visible emissions from the spray booth stack shall not equal or exceed twenty (20) percent opacity.
- B. 401 KAR 59:010 § 3(2) – Particulate matter emissions from the spray booth stack shall not equal or exceed 2.34 pounds per hour.

Compliance Demonstration Method: If deemed necessary, the Cabinet shall require testing in accordance with 40 CFR 60 Appendix A, Methods 9 and 5, respectively.

Given the description provided for this emission point, compliance with **Operating Limitation A** demonstrates compliance with the above emission limitations unless testing is required.

3. Testing Requirements:

None except that testing shall be conducted at such times as may be required by the Cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.

4. Specific Monitoring Requirements:

- A. The monthly usage in gallons of stains, lacquers, adhesives or any other wood finishing material shall be monitored.
- B. A qualitative visual observation of the opacity of emissions shall be performed from the spray booth stack on a weekly basis and a log of the observations maintained when the unit is operating. If visible emissions from the stack are seen (not including condensed water vapor within the plume), then the opacity shall be determined by Reference Method 9. If emissions are in excess of the applicable opacity limit, then an inspection shall be initiated of control equipment for all necessary repairs.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Recordkeeping Requirements:

- A. Monthly records of the usage of stains, lacquers, adhesives or any other wood finishing material shall be maintained including purchase orders and invoices for the materials.
- B. Records of any maintenance conducted to meet the requirements of **Operating Limitation A** shall be maintained, including but not limited to records of manufacturer specifications or recommendations for maintenance of the spray booth and associated equipment. These records shall include the time and date of the maintenance. These records shall at a minimum include the time and date of exhaust filter replacement.
- C. Annual records of the emissions of regulated pollutants shall be maintained.
- D. Weekly records of qualitative visual observations shall be maintained.

6. Specific Reporting Requirements:

The permittee shall include in the semiannual report a summary of **Recordkeeping Requirements A – D**. See Section F.6.

7. Specific Control Equipment Operating Conditions: See Operating Limitations above.

8. Alternate Operating Scenarios: N/A

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Sanding, Cutting, Sawing at Wood Furniture Plant (W2)	401 KAR 59:010
2. Paint Strip Furnace at Metal Furniture Plant (M1), 0.798 mmBTU/hr	N/A
3. Spray Washer at Metal Furniture Plant (M2)	N/A
4. Spray Washer Cure Oven/Heater at Metal Furniture Plant (M2), 1.6 mmBTU/hr	N/A
5. Baking/Drying Oven at Metal Furniture Plant (M3), 1.2 mmBTU/hr	N/A
6. Unilac Powder Coating at Metal Furniture Plant (M4)	N/A
7. Welding at Metal Furniture Plant	401 KAR 59:010
8. Tank No. 1 – 3,000 gallon #2 Diesel Oil	N/A
9. Tank No. 2 – 1,500 gallon Gasoline	N/A
10. Tank No. 3 – 400 gallon #2 Diesel Oil	N/A

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Particulate Matter (PM) and Sulfur Dioxide (SO₂) emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.
3. The emissions of any individual Hazardous Air Pollutant (HAP) shall not exceed nine (9) tons during any consecutive twelve (12) month period. The emissions of combined HAP shall not exceed twenty-two and one-half (22.5) tons per year. Monthly records, which demonstrate compliance with this limitation, shall be maintained and total HAP emissions shall be reported on a semi-annual basis. HAP emissions shall be calculated and recorded on a *monthly* basis. These records shall be summarized in tons per month HAP emissions; subsequently, tons of HAP emissions per rolling 12-month period shall be recorded. In addition, these records shall demonstrate compliance with HAP emission limitations listed herein for the conditional major limitations. These records, as well as purchase orders and invoices for all HAP containing materials, shall be maintained on site for a period of five years from the date the data was collected and shall be provided to the Division upon request.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)(1) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place (as defined in this permit), and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality[401 KAR 52:030 Section 3(1)(f)1a and Section 1a (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
3. In accordance with the requirements of 401 KAR 52:030 Section 3(1)f the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030 Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.5 [Section 1b V(3) and (4) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
9. Pursuant to 401KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
 - a. Identification of each term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality
Ashland Regional Office
1550 Wolohan Drive, Suite 1
Ashland, KY 41102-8942

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee. If a KYEIS emission survey is not mailed to the permittee, then the permittee shall comply with all other emission reporting requirements in this permit.
11. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.
12. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - i. The size and location of both the original and replacement units; and
 - ii. Any resulting change in emissions;
 - b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
 - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
 - d. The replacement unit shall comply with all applicable requirements; and
 - e. The source shall notify Regional office of all shutdowns and start-ups.
 - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
 - i. Re-install the original unit and remove or dismantle the replacement unit; or
 - ii. Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030 Section 3(1)(b) and is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a (2) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a (5) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030 Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030 Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
4. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.
5. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a (6) and (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

SECTION G - GENERAL PROVISIONS (CONTINUED)

6. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030 Section 7(1)].
7. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a (11) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
8. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a (3) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
9. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a (12)(b) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
10. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6) [Section 1a (9) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
11. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030 Section 11(3)].
12. This permit does not convey property rights or exclusive privileges [Section 1a (8) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
13. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
15. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.

SECTION G - GENERAL PROVISIONS (CONTINUED)

16. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
17. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
 - a. Applicable requirements that are included and specifically identified in this permit; and
 - b. Non-applicable requirements expressly identified in this permit.
18. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030 Section 3(1)(c)].
19. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030 Section 8(2)].

(b) Permit Expiration and Reapplication Requirements

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030 Section 12].

(c) Permit Revisions

1. Minor permit revision procedures specified in 401 KAR 52:030 Section 14 (3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14 (2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

No construction authorized by this permit

(e) Acid Rain Program Requirements

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - d. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
2. Notification of the Division does not relieve the source of any other local, state or federal notification requirements.
3. Emergency conditions listed in General Provision G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030 Section 23(3)].
4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof[401 KAR 52:030 Section 23(2)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center
P.O. Box 1515
Lanham-Seabrook, MD 20703-1515.

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

SECTION H - ALTERNATE OPERATING SCENARIOS

N/A

SECTION I - COMPLIANCE SCHEDULE

N/A